

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

NEW HOPE FAMILY SERVICES, INC.,
a New York nonprofit corporation,

Plaintiff,

vs.

SHEILA J. POOLE, in her official capacity
as the Acting Commissioner for the Office of
Children and Family Services for the State
of New York,

Defendant.

5:18-cv-1419 (MAD/TWD)

**STIPULATED MOTION TO
MODIFY SUMMARY
JUDGMENT BRIEFING
SCHEDULE AND EXPAND
PAGE LIMITS**

The parties jointly submit the following stipulated motion to modify the summary judgment briefing schedule and expand page limits.

1. On July 7, 2021, the Court stayed discovery in this case and set a summary judgment briefing schedule with opening motions due September 24, 2021; responses to motions due November 12, 2021; and replies due December 17, 2021. ECF No. 69.

2. The parties have conferred and agree that the summary judgment briefing schedule should be modified without changing the date on which briefing will be completed.

3. The parties request that the Court issue an order modifying the summary judgment briefing schedule as follows:

- Opening briefs in support of motions for summary judgment shall be filed on or before October 8, 2021;
- Response briefs in opposition to motions for summary judgment shall

be filed on or before November 19, 2021;

- Reply briefs shall be filed on or before December 17, 2021.

4. The parties' proposed modification will not prejudice any party, will allow counsel ample time to consider and respond to motions, and will not cause any delay, as the modified schedule concludes on the same day as the current schedule.

5. The Individual Rules and Practices of Hon. Mae A. D'Agostino provide that memoranda of law in support of and in opposition to motions are limited to 25 pages, with reply memoranda limited to 10 pages.

6. The parties have conferred and agree that a modest expansion of the usual page limit would allow the parties to better address the factual background in this case.

7. The parties request that the Court issue an order expanding the page limits to permit 35 pages for opening motions for summary judgment, 30 pages for responses in opposition to motions, and 15 pages for reply briefs.

Respectfully submitted this 2nd day of September, 2021.

s/ Mark A. Lippelmann

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s/ Adrienne J. Kerwin

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CERTIFICATE OF SERVICE

I hereby certify that on the 2nd day of September, 2021, I filed a true and accurate copy of the foregoing document with the Clerk of Court using the CM/ECF system, which automatically sends an electronic notification to all attorneys of record.

s/ Mark A. Lippelmann
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